

**ASSEMBLY BILL**

**No. 331**

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**Introduced by Assembly Member Garcia**

February 13, 2013

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An act to amend Sections 10403 and 10418 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 331, as introduced, Garcia. Consolidation of elections.

Under existing law, whenever two or more elections are called to be held on the same day, in the same territory, or in territory that is in part the same, the elections may be consolidated. If one of the elections to be consolidated is a statewide election or a specified local election, existing law requires the consolidated election to be held and conducted in accordance with the provisions of law regulating the statewide election.

This bill would additionally specify that whenever an election called by a district, city, or other political subdivision is consolidated with a county or statewide election, the consolidated election shall be conducted in accordance with the applicable procedures and practices of the county in which the election is consolidated, as determined by the county elections official, provided that the procedures and practices are not inconsistent with the provisions of law regulating the statewide or county election.

Under existing law, if an election called by a district, city, or other political subdivision is to be consolidated with a statewide election, as specified, the district, city, or other political subdivision must file with the board of supervisors and the county elections official a resolution

of its governing board that, among other things, requests the consolidation.

This bill would require the resolution to acknowledge that the consolidated election will be conducted in accordance with the applicable procedures and practices of the county in which the election is consolidated, as determined by the county elections official.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 10403 of the Elections Code is amended  
2 to read:

3 10403. (a) Whenever an election called by a district, city, or  
4 other political subdivision for the submission of ~~any~~ a question,  
5 proposition, or office to be filled is to be consolidated with a  
6 statewide election, and the question, proposition, or office to be  
7 filled is to appear upon the same ballot as that provided for ~~that~~  
8 the statewide election, the district, city, or other political  
9 subdivision shall, at least 88 days prior to the date of the election,  
10 file with the board of supervisors, and a copy with the elections  
11 official, a resolution of its governing board ~~requesting that does~~  
12 *all of the following:*

13 (1) ~~Requests that the consolidation, and district, city, or other~~  
14 ~~political subdivision election be consolidated with the statewide~~  
15 ~~election. setting~~

16 (2) ~~Sets forth the exact form of any the question, proposition,~~  
17 ~~or office to be voted upon at the election, as it is to appear on the~~  
18 ~~ballot. The question or proposition to appear on the ballot shall~~  
19 ~~conform to this code governing the wording of propositions~~  
20 ~~submitted to the voters at a statewide election. The resolution~~

21 (3) ~~Acknowledges that the consolidated election will be~~  
22 ~~conducted in the manner prescribed in Section 10418.~~

23 (b) ~~The resolution~~ requesting the consolidation shall be adopted  
24 and filed at the same time as the adoption of the ordinance,  
25 resolution, or order calling the election. ~~The~~

26 (c) ~~The~~ names of the candidates to appear upon the ballot where  
27 district, city, or other political subdivision offices are to be filled  
28 shall be filed with the county elections official no later than 81  
29 days prior to the election.

1 SEC. 2. Section 10418 of the Elections Code is amended to  
2 read:

3 10418. (a) Whenever an election is to be held on the same  
4 day as a statewide election, including a statewide special election,  
5 *a county election*, or an election held pursuant to Section 1302 or  
6 1303, the election may be consolidated with the statewide *or county*  
7 election, *or the election held pursuant to Section 1302 or 1303,*  
8 *as applicable*. If consolidated, the consolidated election shall be  
9 held and conducted, election officers appointed, voting precincts  
10 designated, candidates nominated, ballots printed, polls opened  
11 and closed, ballots counted and returned, returns canvassed, results  
12 declared, certificates of election issued, and all other proceedings  
13 incidental to and connected with the election shall be regulated  
14 and done in accordance with the provisions of law regulating the  
15 statewide, *county*, or regularly scheduled election.

16 (b) *Whenever an election called by a district, city, or other*  
17 *political subdivision is consolidated with a county or statewide*  
18 *election, including a statewide special election, the consolidated*  
19 *election shall be conducted in accordance with the applicable*  
20 *procedures and practices of the county in which the election is*  
21 *consolidated, as determined by the county elections official,*  
22 *provided that the procedures and practices are not inconsistent*  
23 *with the provisions of law regulating the statewide or county*  
24 *election.*

25 (c) The precincts used at the consolidated election shall be those  
26 used for the statewide, *county*, or regularly scheduled election and,  
27 where necessary, the county elections official may adjust precinct  
28 lines to coincide with the boundaries of the particular jurisdiction.